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U.S. Department of Justice  
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Attorney for Gail Brehm Geiger, Acting United States Trustee for Region 18

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re

Edward T. Fu

Miscellaneous Case No. 14-00306-tmb

**STIPULATION FOR ENTRY OF  
ORDER REQUIRING EDWARD T.  
FU TO TAKE CORRECTIVE  
ACTIONS AND COMPLY WITH  
RULES, PROCEDURES, AND  
AGREEMENTS REGARDING  
ELECTRONIC FILING PRACTICES**

Acting United States Trustee for Region 18 Gail Brehm Geiger (the “UST”) and Edward T. Fu (“Fu”) hereby represent and stipulate as follows:

**Agreed Facts**

1. Fu is a member of the Oregon State Bar and is admitted to practice in the District Court for the District of Oregon.
2. On July 14, 2014, Fu’s clients in the following cases testified at their meeting of creditors held pursuant to 11 U.S.C. §341(a): Mary Beth George (“George”), Case No. 14-33441-elp7, and Peter Conrad Jones (“Jones”), Case No. 14-33444-elp7. George and Jones testified at their meeting of creditors that they reviewed their bankruptcy petition, schedules, statements, and related documents (the “Bankruptcy Documents”) by email and authorized Fu to file them electronically. George and Jones testified that they did not sign the Bankruptcy

Documents.

3. Fu did not have George or Jones sign the Bankruptcy Documents. Fu filed the Bankruptcy Documents electronically after George and Jones authorized Fu to file them.

4. Fu received fees of \$0 from George and does not intend to seek additional fees from George. Fu received fees of \$1,335 from Jones and does not intend to seek additional fees from Jones.

5. The Bankruptcy Documents filed in the George and Jones cases were filed using Fu's electronic filing system login and password. Fu electronically signed the Bankruptcy Documents where an attorney's signature was required.

6. Fu made inaccurate certifications pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure ("FRBP"), LBR 9011-4(b), and the Attorney Registration for Participation in Electronic Case File (ECF) System (LBF 130) by failing to obtain his clients' signatures on the Bankruptcy Documents in the Jones and George cases before he filed them.

7. The UST's goals in connection with the Stipulation outlined below are to address the most significant issues identified in the cases reviewed; prompt Fu to review and address similar issues arising in other existing cases; and obtain Fu's compliance with pertinent requirements and procedures in future cases. In the event the Stipulation does not prove adequate to meet these goals, the UST intends to seek more compensatory and coercive remedies.

#### **Stipulation re Proposed Order**

Based on the foregoing, the UST and Fu stipulate to the lodging and entry of an Order Requiring Edward T. Fu to Take Corrective Actions and Comply with Rules, Procedures, and Agreements Regarding Electronic Filing Practices (the "Order") in the form attached as Exhibit 1 hereto that provides as follows:

1. Fu will refund \$300 to Jones and provide the UST with evidence of the refund by

September 1, 2014.

2. In the Jones and George cases, Fu shall:
  - a. Have his clients sign all of the documents he filed on their behalf;
  - b. Have his clients sign the Statement of Social Security Number (Form B21) and retain it consistent with LBR 9037-1; and
  - c. File all documents as signed by his clients (except Form B21) that reflect the actual date the documents were signed; and
  - d. Take all other actions he deems appropriate in his legal judgment to remedy the issues caused by his deficient electronic filing practices, including a motion to request that the petition date remain the same despite the petition not being signed at the time of filing.
3. Fu will not charge clients any fees or expenses and will not request reimbursement for fees or expenses incurred in undertaking the actions and corrections agreed to in this Stipulation.
4. Fu will thoroughly review and comply with all rules, procedures, and agreements involving electronic case filing and document retention, including without limitation the Local Bankruptcy Rules, including without limitation LBR 5005-4(e), LBR 9011-4, and LBR 9037-1; Administrative Procedures for Electronically Filing Case Documents (LBF 125); and the Attorney Registration for Participation in Electronic Case File (ECF) System (LBF 130).
5. In the event that Fu fails to comply with paragraphs 1 through 4 above, the UST may pursue such action as the UST deems appropriate.
6. This Stipulation and the Order do not affect the UST's ability to:
  - a. Refer Fu's conduct to the Oregon State Bar or the United States Attorney,
  - b. Take such action as the UST deems appropriate in any case referenced herein to the extent that such action is not related to the electronic case filing

deficiencies noted in this Stipulation, and

- c. Take any action that the UST deems appropriate in any case not referenced herein.

7. This Stipulation and the Order do not affect any rights of Fu's clients, their bankruptcy trustees, their creditors, or any other interested party.

8. The court shall retain exclusive jurisdiction to enforce the terms of this Stipulation and the Order as well as to hear and adjudicate any motions for their enforcement or contempt related to the Order.

9. Neither this Stipulation nor the Order are intended to alter, limit, or affect Fu's existing or future obligations under the Bankruptcy Code; the Federal Rules of Bankruptcy Procedure; and Local Bankruptcy Rules, forms, procedures, and practices, or under any other court order.

IT IS SO AGREED:

EDWARD T. FU

/s/ Edward T. Fu  
Edward T. Fu, OSB# 113899

Dated: 8/20/14

GAIL BREHM GEIGER, Acting U.S. Trustee for Region 18

By: /s/ Carla G. McClurg  
Carla G. McClurg, CSB #227738  
Trial Attorney

Dated: 8/20/14

## **Exhibit 1**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

Edward T. Fu

Miscellaneous Case No. 14-00306-tmb

**ORDER REQUIRING EDWARD T.  
FU TO TAKE CORRECTIVE  
ACTIONS AND COMPLY WITH  
RULES, PROCEDURES, AND  
AGREEMENTS REGARDING  
ELECTRONIC FILING  
PRACTICES**

Based on the Stipulation for Entry of Order Requiring Edward T. Fu to Take Corrective Actions and Comply with Rules, Procedures, and Agreements Regarding Electronic Filing Practices (the “Stipulation”) between the Acting United States Trustee for Region 18 Gail Brehm Geiger (the “UST”) and Edward T. Fu (“Fu”), now, therefore,

IT IS HEREBY ORDRED as follows:

1. Fu will refund \$300 to the debtor in the case of Peter Conrad Jones (“Jones”), Case No. 14-33444-elp7 and provide the UST with evidence of the refund by September 1, 2014.
2. In the cases of Mary Beth George, Case No. 14-33441-elp7, and Peter Conrad Jones, Case No. 14-33444-elp7, Fu shall:
  - a. Have his clients sign all of the documents he filed on their behalves;

- b. Have his clients sign the Statement of Social Security Number (Form B21) and retain those forms consistent with LBR 9037-1;
  - c. File all documents as signed by his clients (except Form B21) that reflect the actual date the documents were signed; and
  - d. Take all other actions he deems appropriate in his legal judgment to remedy the issues caused by his deficient electronic filing practices, including a motion to request that the petition date remain the same despite the petition not being signed at the time of filing.
3. Fu shall not charge clients any fees or expenses and will not request reimbursement for fees or expenses incurred in undertaking the actions and corrections specified in this Order.
4. Fu shall thoroughly review and comply with all rules, procedures, and agreements involving electronic case filing and document retention, including without limitation the Local Bankruptcy Rules, including without limitation LBR 5005-4(e), LBR 9011-4, and LBR 9037-1; Administrative Procedures for Electronically Filing Case Documents (LBF 125); and the Attorney Registration for Participation in Electronic Case File (ECF) System (LBF 130).
5. In the event that Fu fails to comply with paragraphs 1 through 4 above, the UST may pursue such action as the UST deems appropriate.
6. This Order and the Stipulation do not affect the UST's ability to:
  - a. Refer Fu's conduct to the Oregon State Bar or the United States Attorney,
  - b. Take such action as the UST deems appropriate in any case referenced herein to the extent that such action is not related to the electronic case filing deficiencies noted in the Stipulation, and
  - c. Take any action that the UST deems appropriate in any case not referenced herein.
7. This Order and the Stipulation do not affect any rights of Fu's clients, their bankruptcy trustees, their creditors, or any other interested party.

8. The court shall retain exclusive jurisdiction to enforce the terms of this Order and the Stipulation as well as to hear and adjudicate any motions for their enforcement or contempt related to this Order.

9. Neither this Order nor the Stipulation are intended to alter, limit, or affect Fu's existing or future obligations under the Bankruptcy Code; the Federal Rules of Bankruptcy Procedure; and Local Bankruptcy Rules, forms, procedures, and practices, or under any other court order.

# # #

I hereby certify that I have complied with the requirements of LBR 9021-1(a)(2)(A).

Presented by:

GAIL BREHM GEIGER  
Acting U.S. Trustee for Region 18

/s/ Carla G. McClurg  
Carla G. McClurg, CSB 227738  
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